

# **SEATTLE POLICE DEPARTMENT MEMORANDUM**

**TO** D/C Nick Metz  
Operations

**DATE**  
06/30/2012

**FROM** Captain Joe Kessler  
Ethics Section

**PAGE 1 OF 1**

**SUBJECT** May Day 2012 – Incident Commander's Review:

Attached is review of the May Day Events that took place on May 01, 2012. The review is not an After Action Report per se, but is meant to summarize the events and circumstances that occurred prior to and during the operation. As noted in the review, it is not meant to be an all encompassing examination of the May Day 2012 events, but as documentation of the planning, deployment, tactics, command & control and to make recommendations as to appropriate tactics and training for future events.

As the Incident Commander assigned to these events I am required to insure that an Incident After Action Report is completed. At the conclusion of these events, I assigned Lieutenant Eric Sano to prepare a draft After Action Report for my review and approval. Lieutenant Sano was subsequently advised by Lieutenant Levondowski, Seattle Police Operations Commander – SPOC, that SPOC had been instructed to complete the After Action Report.

As the former Commander of SPOC, it is not our normal protocol for the SPOC to complete the After Action Report unless they had operational command of the event. Lieutenant Sano then turned over his notes to SPOC for preparation of the required After Action Report. As this was outside of normal protocol, I spoke to Lieutenant Levondowski and he advised that he was operating as per the direction of Assistant McDonagh. I asked to receive a copy of the report when it was completed. At this time I have not received the required After Action Report for my review.

In addition to the issues outlined in this review, a number of similar issues have also been manifested in some of the recent "Occupy" demonstrations and other events such as the takeover of the University Bridge (North Precinct) and the Bank of America demonstration (East Precinct). In these events, the Incident Commanders were directed to use (in the opinion of the commanders) unsafe, unproven tactics and in several instances their directions were countermanded by the Operations Bureau Chief in the field. Please feel free to discuss these incidents with Captain Robin Clark, Captain Steve Paulsen, Captain Mike Nolan Lieutenant and Lieutenant Von Levondowski for specific details:

Please feel free to contact if you have any questions or need additional information.

Cc: Deputy Chief Clark Kimerer – Administration  
file

# Seattle Police Department

## May Day March/Rally/Protests

May 1, 2012



Westlake Park/Downtown  
West Precinct

(Incident Commander's Review)

Captain Joe Kessler  
Incident Commander

This document provides a partial summary of the events and circumstances that transpired prior to and during the May 1<sup>st</sup> March/Rally/Protests. As such, this review it is not meant to be an all encompassing examination of the May Day 2012 events, but a documentation of the planning, deployment, tactics, command & control and to make recommendations as to appropriate tactics and training for future events.

**As the Field Incident Commander assigned to this event, I have yet to receive requested information maintained by the Seattle Police Operations Center (SPOC) in order to fully complete the required Incident After Action Report as required by Seattle Police Department Policy and Procedures, Title 14.010. Therefore, this document fails to provide a complete accounting of all information archived in regard to this event.**

**Situation:**

On Tuesday May 01, 2012, various protesters/demonstrators participated in a West Coast action to support the Immigration March and the May Day celebrations. The Occupy Seattle organizers had indicated that they intended to have a breakfast event and "worker speak out" at Westlake Park beginning at 0900 hours with a rally slated to begin at 1100 hours. It was also learned that the Occupy Seattle group planned to march in an undisclosed route starting at 1200 hours, a bike swarm also at 1200 hours, and finally a rally and another march beginning at Westlake Park at 1500 hours. Also planned for this date was a student walk-out at Seattle Central Community College (East Precinct) that was to commence at 1120 hours and intended to march to Westlake and meet up with the Occupy Seattle Movement.

Additionally, there was a large, annual (permitted) May Day/Immigration March, sponsored by El Comit  Reformat  Migratoria y Justicia Social and the May 1<sup>st</sup> Coalition, that was taking place at Judkins Park with a march to end downtown. Estimated numbers for that group were 500 although this particular march/rally has drawn up to 5,000 participants in the past. There was also credible intelligence information that led us to believe that the Anarchists were going to take advantage of these events to commit acts of violence and property destruction downtown.

Police planning for these events involved both the Seattle Police Operations Center (SPOC) and the West Precinct Command. Preliminary planning had been started by West Precinct personnel with SPOC subsequently assuming responsibility for the planning process. SPOC was in operation during the events.

**Mission:**

The stated mission for the Seattle Police Department was to enforce the law and preserve order. The response priorities were life safety, incident stabilization and property conservation.

### Planning:

As in any large-scale, planned event a number of key personnel play parts in the planning process. The initial planning responsibility was led by Sergeant Tony Baily (West Precinct Demonstration Management Supervisor). The Immigration March from Judkins Park (East Precinct) to Downtown Seattle (West Precinct) is an annual event and has been effectively coordinated with the West and East Precincts for a number of years.

The Special Event application permit was issued on or about April 18<sup>th</sup>. Sergeant Baily began the preliminary planning process. The march was planned to begin at 1500 hours from Judkins Park and culminating at a rally in the street at 3<sup>rd</sup> Avenue and Marion Street. There was also information that members of Occupy Seattle were also planning to hold a rally at Westlake Park (West Precinct).

Following some preliminary discussions, Sergeant Baily was directed to prepare two Incident Action Plans (IAP's) – one for the Immigration March & Rally and one for the Occupy Seattle rally. Lieutenant Sim Tamayo was assigned to be the Operations Commander at the Judkins Park event with Lieutenant Norm James being assigned as the Operations Commander at the Westlake Park event. At that time Sergeant Baily was awaiting additional intelligence regarding these events.

During the initial planning process, there was very little, if any intelligence information being forwarded to the West Precinct commanders and **no discussion or direction from Command Staff**. Assistant Chief Mike Sanford sent an invitation (April 23<sup>rd</sup>) and subsequently conducted a meeting concerning the May Day events on the afternoon of April 24<sup>th</sup> (less than one week prior to the planned events). At this time, neither I nor the other designated commanders had been assigned to the event or briefed on the scope of the events. It is unknown if any of the other commanders (these events involved multiple precincts and sections including the Traffic Section) were briefed prior to the Incident Command team.

**During the course of Chief Sanford's briefing, I asked who the Incident Commander (IC) was for the events. He stated that I was assigned as the Incident Commander and that Lieutenant Eric Sano was going to be assigned as the Rapid Response Commander. Chief Sanford gave a PowerPoint presentation of potential Anarchist tactics and plans and gave an Intel briefing.**

**\*It should be noted that the PowerPoint was not working well, but there was disturbing information concerning the potential for significant criminal actions by organized groups of Anarchists. There were no representatives from Intel present at the briefing and Chief Sanford stated at the time that they had done the PowerPoint presentation and a full Intel briefing for the Mayor and his staff the week before (this is critical information that may have changed the planning process and certainly the tactical considerations.**

During this briefing Chief Sanford stated that we would be using a new deployment model and tactics for these events to include utilizing undercover officers inside the crowd with "plainclothes" officers to mingle among the crowd (the plainclothes officers were to not "hide their identity"). The officers assigned in an "undercover" role would be the Situational Assessment Team (SAT). The plainclothes officers would have a contingent of uniform officers assigned to them who would remain on the periphery and only provide assistance in emergent situations. The plainclothes officers were to "mark" the subjects engaged in criminal conduct and arrest them at a more advantageous time and location (preferably away from the main body of the demonstration).

As these tactics had not been employed during previous events, there was confusion as to how this model would work and who would fill the undercover and plainclothes roles. Lieutenant Sano and others asked Chief Sanford specifically about these issues. Chief Sanford said he wanted about 50-75 people in that capacity and suggested looking at the list of officers who had completed Undercover Training.

At this time I requested that we be provided with photographs of all assigned plainclothes officers and for photographs and information pertaining to all known anarchists/criminals and previously arrested "Occupy" demonstrators. This request was made to insure officers assigned to the support element would know who the "plainclothes" were to avoid confusion with proposed tactics. I also brought up the issues surrounding recent events where demonstrators had carried burning torches (dripping with kerosene) and requested that SPOC work with the Fire Marshall to get an authorization for our officers to enforce the Fire Code. *\*We received a temporary authorization through SPOC at 1136 hours on the day of the event.*

*Several of the commanders in attendance questioned Chief Sanford about this new tactic as there was some uncertainty about the roles of each contingent. While the basic concept was sound and easily understood, it had never been utilized in an actual deployment nor had any training been discussed, developed or completed. Additionally, there was confusion as to the role of the "plainclothes" officers that would be easily recognizable as police officers.*

Next, Chief Sanford outlined the new parameters for the use of Oleoresin Capsicum (OC / Pepper) Spray. 1) Personal Protection; 2) To Prevent Entry; and 3) At the order of the Incident Commander. He stressed that OC was not to be used to disperse a crowd or to clear an area. These were rules of engagement that we had discussed previously.

At the conclusion of the briefing I spoke to Chief Sanford and expressed concerns about implementing tactics that had not been trained for and that, although I concurred conceptually, I was uncomfortable in "going live" with untested tactics. I also expressed concerns that we did not have enough manpower to staff these positions on such short notice. He said to do the best we could.

\*Chief Sanford also designated SPOC as the lead planners and stated that they would be responsible for completion of the IAP. I assigned Sergeant Baily as the Planning Section Chief and as our liaison with SPOC (this is less than one week before the scheduled event).

On April 26<sup>th</sup> Detective Deb Brown (CIS) sent an email updating some information from Intel. On April 27<sup>th</sup> we received another email update from Sergeant Tom Mahaffey (CIS). The email on the 27<sup>th</sup> was the first email (as far as I can determine) that mentioned issues concerning Anarchists. Also, on the 27<sup>th</sup> Detective Brown sent an email update advising of the potential student walk-out at Seattle Central Community College (East Precinct).

We received a copy of a draft IAP on Friday the 27<sup>th</sup> at approximately 1300 hours. I asked Sergeant Baily and Lieutenant Sano to review the document for any adjustments. I also requested that the roll call times be moved up and streamlined. We finally received a final copy of the IAP on Tuesday, May 1<sup>st</sup>, at the 1000 hours roll call (3 hours after the initial 0700 hours roll call).

On Saturday, April 28<sup>th</sup>, Lieutenant Ron Rasmussen (North Precinct) called me regarding his concerns about Intel he was hearing regarding potential Anarchist activity at the May Day events. I asked him to attend the Monday briefing and subsequently used him as the designated Task Force Commander. Lieutenant Rasmussen received the final IAP via email on Tuesday.

On Monday, April 30<sup>th</sup> at 1000 hours, we had a Commanders meeting in SPOC. This was the day before the event. At that time, Lieutenant Von Levondowski provided a general briefing followed by each commander outlining their respective branch mission. At this meeting I again reiterated my request for 1) photographs of "plainclothes" officers and 2) photographs of all known/suspected anarchists and persons previously arrested during the recent "Occupy" demonstrations. I outlined the rules of engagement and explained the undercover/plainclothes deployment (as per Chief Sanford's orders). Chief Sanford interjected and explained his philosophy concerning how the undercover/plainclothes component was to work. \*His statements were congruent with the parameters I had outlined.

Again, he stressed that he did not want officers making arrests in the crowds unless it was a life safety issue. He said to mark them and then Lieutenant Smith's uniformed officers could make the arrests at a time, place and manner that were beneficial to us. He also stressed that he did not want pepper spray (OC) used unless it met the criteria outlined previously.

After that meeting, I conducted a separate meeting for the operational commanders. Lieutenant's Sano and Hay (SWAT Commander) expressed a great deal confusion and concern relating to the logistics of the undercover/plainclothes assignment. Lieutenant Hay expressed unease that his people had not trained for this type of deployment and that they didn't have an "intermediate uniform" (it was either BDU's or undercover) and he was not sure what their role was. I was unable to provide additional direction as I had already outlined the orders as they had been given by Chief Sanford.

#### **Deployment:**

The deployment plan began with a 0630 call in for the assignment of six (6) West Precinct First Watch officers to respond to a 0700 roll call in the West Precinct. Present at this roll call were the First Watch Task Force officers, Chief Sanford, Lieutenant James, Lieutenant Sano and Sergeant Baily. Following the roll call, the First Watch officers deployed to the area around Westlake Park and began searching the alleyways and surrounding area for potential pre-staged items from the protesters/demonstrators. They were also to be vigilant for criminal activity related to the Occupy Seattle movement.

The next roll call occurred at 1000 hours. This roll call was attended by the West Precinct Bike Squads (2 sergeants and 16 officers), Prisoner Processing (4 sergeants and 30 officers), Mounted Patrol (3 officers), Chief Sanford, Captain Kessler, Lieutenants James, Sano, Cordner, Smith and Sergeant Baily. Following the roll call, these resources were sent directly to the Westlake Park area to monitor for criminal activity and to establish a clear police presence in the downtown core area. Additional SPD deployment included civilian videographers and photographers for the event and SPOC personnel, all of whom were present at the 1000 roll call.

There were several significant issues that had not been addressed during the planning process (due to its compressed time frame). Among the most impactful was splitting the roll call times. This served to push our available staffing out, severely limiting our tactical options. By splitting roll call times, the plainclothes officers were not available and many of the assigned uniformed officers did not know who they were. Additionally, the uniformed contingent of the Rapid Response Group was not even scheduled to arrive until three (3) hours after the undercover/plainclothes contingent had been deployed. This was confusing as their primary duties were to act as cover/arrest officers for the undercover/plainclothes officers under this new deployment model.

There was no real Intel input at the briefing and no plainclothes officers present. The most important issue was that there was no continuity of message and ultimately, a large contingent of officers were not available when they were most needed and many never received a briefing as they had to respond directly to the event due to emergent conditions. This was due to conducting multiple roll calls at different times and locations.

Sergeant Baily (Planning Section Chief) began the main briefing at the 1000 hours roll call. I then outlined the broad operational directions and rules of engagement including the plainclothes/undercover deployment as per Chief Sanford's orders. Lieutenant Sano gave an overview of the pepper spray (OC) protocol and we reiterated the parameters that had been directed by Chief Sanford during the previous meetings.

At the conclusion of my briefing, Chief Sanford told me that he had updated Intel for me to give out. I suggested that he could give it as he had received it directly from the source. I introduced Chief Sanford and turned the floor over to him to give the updated Intel briefing. He stated: **"That is not what we are going to do." He proceeded to deliver a very clear directive and countermanded the operational directions that had just been given by the Incident Commander and Section Chiefs. He stated that he did not "want to see any pepper spray" which specifically countermanded the protocols he had previously set in place and had been outlined to the officers and supervisors. He also told the roll call that he did not want "any arrests in the crowd" and clearly stated that he did not want "any crowd engagement".**

There was an immediate, visible sense of confusion among the officers, sergeants and commanders present. I have been approached by numerous personnel (including a civilian employee) who were in attendance who expressed disbelief at the manner and more specifically, the message that was given directly by the Operations Bureau Commander.

The overt countermanding of directions given by the designated operational commanders served to undermine their authority and legitimacy and is something I have not experienced in the twenty (20) years I have served as a command level officer on the Seattle Police Department.

The two main messages given by Chief Sanford: 1) no crowd engagement and 2) no use of pepper spray, were clear to all in attendance and there was no attempt by Chief Sanford to clarify these points with respect to the conflicting directions given by the Incident Commander.

This message was clear as Lieutenant Rasmussen stated that he was advised by Lieutenant Levondowski that "we were not to engage the crowd and that pepper spray was only authorized for personal defense against specific attackers".

The next roll call was scheduled for 1100 hours at Park 90/5 and included all of the plainclothes and undercover officers that would function as Situational Assessment Teams (SAT) and support elements. This was a concept outlined by Chief Sanford, utilizing a number of plainclothes and undercover officers to be in the crowd and on the periphery to watch for criminal activity. These undercover/plainclothes officers would mark the offenders and report back to the uniformed officers that would make arrests at a time, place and manner advantageous to the arrest teams.



The personnel assigned to this function were from our Criminal Intelligence Section, Narcotics Section and from our SWAT Team. These detectives and officers were under the command of Lieutenant Mike Magee. Captain Kessler and Lieutenant Sano also attended this roll call.

\*Members of CIS were present at this roll call.

Per the IAP, these elements would be augmented by uniformed personnel from our Gang Unit (3 sergeants and 10 officers), two West Precinct Bicycle Squads (2 sergeants and 16 bicycles officers), three Anti-Crime Teams (3 sergeants and 24 officers), three Community Police Teams (2 sergeants and 14 officers) and two West Precinct Arrest Teams staffed by Patrol (2 sergeants and 12 officers). These officers would function as the arrest teams and the support element for the undercover/plainclothes component. The arrest teams were under the command of Lieutenant Ron Smith. *\*These officers were slated to have a 1400 hours roll call (they were called in early with no roll call as events dictated otherwise).*

By having the arrest teams/support element start three hours later than the elements that they were to support negated the primary tactics of the deployment plan. This proved problematic for the overall operation and most importantly, created a substantial delay in responding to the criminal activity as it began to unfold long before these elements were even scheduled to be on duty.

Following the briefing at the 1100 hours roll call, the SWAT personnel, including supervisors and the Commander, Lieutenant Hay, expressed grave concerns regarding their designated role. They reiterated that they were uncomfortable in attempting to fulfill a mission that they had not trained for and that they did not have "plainclothes" that could be identifiable as police officers. They stated that they were comfortable serving as either undercover or as a uniformed force (either Class A's or BDU's). They expressed their concerns about the functionality of their role.

During a subsequent discussion with supervisors only, I authorized SWAT to deploy in BDU's. This decision was made in direct response to being advised by the SWAT supervisors and commander that they could not fulfill the mission as outlined by Chief Sanford. As the former Commander of the Metropolitan Section (Commander of SWAT) I am aware of their training and capability and believe that it was not prudent to dictate tactics that they stated they could not perform without prior training/planning.

The change in deployment scheme required them to return to their office and change clothes and then prepare their gear for deployment. The roll call there ended at approximately 1145 hours thus creating a significant delay in getting these elements in position in the Downtown Core.

### Tactics:

Numerous tactical deficiencies arose on May Day, ultimately resulting in confusion on the part of the officers and supervisors, officers being out of position when Anarchist elements began doing massive property destruction, assaults and endangering the lives of citizens and officers.

The tactical deficiencies included:

- ◆ Disregarding experience;
- ◆ Changing successful tactics without training;
- ◆ Failure to guide/track marchers;
- ◆ Failure to have a strong, visible police presence from the start of the event;
- ◆ Not having sufficient resources available at the start of the event;
- ◆ Use of Force tactics – specifically OC Spray.

The commanders working these various events had extensive command experience and have been handling the various “Occupy” demonstrations for many months prior to these events. Experience with many of the recent Anarchist involved marches and demonstrations have shown that there needs to be adequate staffing levels from the start and to have a strong visible presence in order to stop their ability to act with anonymity and then move back into the crowd.

As with most of the unpermitted marches that we deal with, there were no specific leaders and the march routes were unknown. Complicating these issues was the fact that it was slated to begin in the middle of the work day and had a strong likelihood creating significant traffic disruptions. We had originally planned on using our bicycle officers to flank the marchers, using the sidewalks, in order to discourage damage to vehicles and plate glass windows that line the street level stores and offices.

Using more undercover officers in the crowd could have been a good tactical deployment, however, by not having appropriate training and adequate briefing/input it was not an appropriate time or place to utilize these tactics. Not having officers in a position to be a highly visible deterrent, or to have the ability to move in quickly to make arrests negated the ability to track the movement of those involved in criminal conduct. By having our uniformed officers off the route created confusion and difficulty in moving them into position quickly and limited the tactical options for the commanders in the field.

The ability to swiftly arrest people committing unlawful acts is critical in both stopping those acts and serves to discourage others from joining this activity. Having the ability to arrest and remove those violating the law most certainly would have lessened the amount of property damage that occurred and would likely have changed the mood of the lawful demonstrators/marchers.

Additionally, attempting to incorporate new tactics at essentially the last minute created difficulty in preparing a proper tactical plan, confusion and most importantly, it ultimately led to not having enough staffing available at the start of the event as resources were not in a position to respond quickly and in a tactical manner when needed. *\*It is critical that there is time to review tactics, plan and provide training prior to implementing new concepts, especially when making a radical departure from tried and true strategies.*

As noted above, failing to guide/track marchers and maintaining an almost invisible presence slowed response times and allowed crimes to be committed with impunity. This could have been averted by using different tactics and maintaining a continuity of command. Following the initial march and subsequent property damage, the Mayor issued an Emergency Order permitting the confiscation of potential weapons within the designated area. The commanders in the field implemented the Mayor's Emergency authorization to confiscate potential weapons, and during the next unpermitted march reverted to flanking the marchers with officers and moving officers into the crowd. There was no additional property damage noted.

\*The emails below (from Chief Sanford) during the early part of the event served to clarify and enforce the orders that were given regarding the tactical deployment by the Chain of Command, outside of the Incident Commanders on scene.

**From:** Levandowski, Von  
**Sent:** Tuesday, May 01, 2012 11:36 AM  
**To:** Sanford, Michael; McDonagh, Paul; Kessler, Joseph; Sano, Eric  
**Subject:** Authorization to Enforce City of Seattle Fire Code  
Gentlemen,

SFD Capt. Reba Gonzales is working in SPOC today. She facilitated the approval of SPD enforcing the City's fire code.

Permission to enforce the City of Seattle Fire Code granted **Re: Authorization to Enforce City of Seattle Fire Code**

sent: Tuesday, May 01, 2012 11:45 AM

To: Levandowski, Von; McDonagh, Paul; Kessler, Joseph; Sano, Eric;

**From:** Sanford, Michael

A back pocket tool. Make sure we keep on message about no crowd engagement.

**From:** Levandowski, Von  
**Sent:** Tuesday, May 01, 2012 11:56 AM  
**To:** Kessler, Joseph; Sanford, Michael; McDonagh, Paul; Bailly, Anthony  
**Subject:** SCCC March

70-75 in street W/B down Pine St.

**From:** Sanford, Michael  
**Sent:** Tuesday, May 01, 2012 12:02 PM  
**To:** Levandowski, Von  
**Subject:** Re: SCCC March

Stay back!

The final tactical issue that must be vetted involves the use of Oleoresin Capsicum (OC) spray. The basic parameters for its use as outlined by Chief Sanford in the initial planning meeting were both prudent and responsible. They met the basic guidelines that had been given during recent demonstrations and marches by the Commanders in the West Precinct. These parameters allow the use of OC in circumstances that it is generally most effective. Although there are strong arguments for using OC to make particular areas uncomfortable to remain, there is often collateral impact to people that are not the targets of the application. *\*By telling officers that he did not "want to see any pepper spray", Chief Sanford created confusion concerning approved tactics, created hesitation among officers and undermined the authority of the Commanders. Several officers who used OC spray to assist Chief Sanford in the street expressed concerns about violating his orders to not use "pepper spray".*

### **Command and Control:**

Knowing who is in command during an incident is of the utmost importance. There must be one person who understands the objectives of the plans, receives tactical information and makes decisions with a complete understanding of all that is occurring. As the designated Incident Commander I should have been informed as soon as possible and been given all information and intelligence available at earliest possible time.

During the initial planning phase of these operations the Incident Commander was given clear orders regarding the parameters of the deployment and tactics that were to be utilized (by Chief Sanford). As noted above (see Planning and Deployment sections), Chief Sanford changed the tactics without notification of the Commanders responsible for executing the plan. This initial change, during the 1000 hours briefing, served to countermand the orders of the Incident Commander and created confusion as to what their orders were and more importantly, who was in charge of the events.

This issue was readily apparent in post event discussions and debriefings with officers and supervisors assigned to the events. These issues are generally addressed by our Department's use of the Incident Command System (ICS) and the concept of Unity of Command whereby each individual assigned to an event answers to one supervisor and ultimately to one Incident Commander. This concept is essential for effective management of spontaneous and pre-planned events. There must be one person who is the overall commander of the event, who understands the objectives of the plans, receives tactical information and then makes decisions with a complete understanding of all that is occurring.

One of the problems that have occurred repeatedly during recent incidents/events, specifically in regard to those involving known Anarchist group members, is that our radio frequencies are monitored and our movements are relayed in real time to the demonstrators. During recent events we have corrected this by using cell phones to communicate to avoid giving tactical information over non encrypted airways. This also allows multiple commanders/supervisors to be given different orders at the same time by members of the Commander Team.

Shortly after the main march began, we began getting reports of marchers (dressed in all black clothing) damaging vehicles that were parked on the street. Additional reports of damage began coming in at a rapid rate. As the Command Van moved into position on Sixth Ave., we began to move resources into position. Each member of the Command Team was speaking directly with field supervisors and commanders to move them from the periphery into a position so they could impact the criminal conduct.

*At this time, Chief Sanford came on the air of the primary frequency and yelled something to effect of "Joe, get your guys in there". He did not use his call sign during this and a subsequent transmission. At that time I spoke to Chief Sanford directly by cell phone to advise him we were in the process of coordinating the movement of our resources into the proper position.*

Without full situational awareness at an incident, individuals with good intentions may take actions independent of others, without understanding how those acts may impact the whole. The lack of complete situational awareness often has the effect of causing problems to become more complex and difficult to resolve.

As various resources were moving into the area, we observed Chief Sanford run past our van n/b onto Sixth Avenue. He was running very fast and was dressed in a white shirt, tie, dark pants and dress shoes. He did not have any visible markings that would identify him as a police officer and was not with any officers. Shortly after he ran down the street several officers (with long riot batons, canisters of OC spray and riot helmets) ran after him n/b on Sixth Avenue. This failure to follow the chain of command or to use proper tactics impeded our ability to respond in a coordinated tactical manner. *It is critical for officers to move in a methodical, disciplined manner to avoid becoming isolated and surrounded, thereby creating a rescue situation. (Reference the Use of Force Report and Statements for details.)*

Although Chief Sanford did not “officially” assume command during this event, his actions amounted to an assumption of command. The fact that he countermanded orders given by the Incident Commander, injected himself on the radio on multiple occasions and issued direct orders to officers, made him the “de facto” Incident Commander. This issue was corrected directly with Chief Sanford in a face to face conversation. During a brief meeting on the street (500 block of Pine Street) following the above incident, I asked Chief Sanford directly: “What were you thinking?” He responded by stating that: “It’s no big deal.” I reiterated my question and he responded by stating: *“I was just trying to amp up the sense of urgency.”*

Chief Sanford’s failure to have “full situational awareness”, follow the chain of command and follow safe, proper tactics created at the least, an inability to move in a coordinated, tactical manner and at the worst, put not only officers in a potential deadly force situation, but also put innocent citizens in harms way. The actions taken during this incident resulted in several injuries (to both Chief Sanford and officers responding to his aid), unnecessary confusion and impeded our tactical response.

#### **Logistics:**

Logistics were handled through SPOC, coordinated by Officer Kearns. Unfortunately, due to limited ingress/egress to the demonstration site, logistical support became problematic with significant delays incurred.

#### **Communications:**

Event communications were on Zone 1, Tac 3 and they were being staffed and monitored by Communications Section personnel.

### Conclusion:

Upon the completion of the event and the demobilization of police resources, a debriefing took place in SPOC with a number of the involved commanders. Several concerns were raised in the "hot-wash" including the following critical points:

- ◆ Staffing levels were too low initially to respond in an adequate manner;
- ◆ It was a mistake to bring in the plainclothes/undercover contingent at 1100 hours and bring their uniformed cover officers in at 1400 hours;
- ◆ The new deployment model, utilizing undercover and plainclothes officers, was confusing and caused delays in getting the appropriate people at the event;
- ◆ It was a mistake to attempt the implementation of a new deployment model and untested tactics without vetting, planning or training our officers;
- ◆ Communications were confusing because of mixed messages given out at roll calls. While the command team briefed officers on items that had previously been agreed to, Chief Sanford countermanded those directions by interjecting his philosophy which served to confuse the officers and supervisors.

In addition to the initial "hotwash" debrief, we requested observations and recommendations from involved supervisors and commanders. There are a number of concerns expressed and lessons learned that are outlined below. These are synthesized directly from involved supervisors and commanders.

Knowing that this was a national May Day event involving the members of the Occupy Movement, and potentially a group of militant anarchists, we should have anticipated large crowds and adjusted our staffing levels. We were significantly understaffed for this event (particularly at the onset) which caused officer safety issues and prevented us from taking direct and immediate action when the criminal activity started. By the time additional resources were called upon, the damage had been done and the Anarchists accomplished what they had planned to do.

There were serious concerns expressed in the manner the SWAT contingent was requested to deploy. As SWAT is the last line of defense if a situation gets to the level that CART capability is required, that option is severely handicapped by attempting to use them in a plainclothes manner. We must always keep sound tactics in mind and not allow outside concerns to dictate our deployment strategies. SAT Teams need to have dedicated uniform arrest teams to be available immediately to reinforce our intention that no crime goes unaddressed.

Lieutenant Barden (Criminal Intelligence Section) had briefed the Chief, Command Staff and the Mayor with great specificity on what their intelligence indicated the various groups would attempt to do. During the debrief, Lieutenant Barden stated that the Anarchists did exactly what our Intelligence Unit predicted and utilized tactics and weapons that they expected they would use. The designated Incident Commander and Section Commanders were not given adequate time, information or clear parameters to adequately determine appropriate staffing levels to ensure success.

The most critical issue involves the need to ensure everyone involved fully understands the plan and that there are no conflicting orders given. The assigned commanders who handle these events on a regular basis should plan and staff the event as well as determine the tactics that will be used. Any new deployment model should be fully vetted and every player should understand their specific role. In addition, the various units should train together and run through "mock" drills to ensure clear understanding of the tactics, arrest procedures and contingencies. This was not the case in this instance. The field commanders, most who have years of demonstration management experience, were unclear as to the specifics of the tactical operation up to, and including, the actual day of the event.

I have attached Sergeant Mahaffey's (SAT Team) After Action Report for review.



### Recommendations:

During the past twenty years, the Department has brought forth a number of work groups and review teams to analyze tactics, identify issues and review large scale events (inside and outside of the City). These various efforts have resulted in the Seattle Police Department being regarded as one of the best in the country with respect to crowd control and demonstration management. We have also developed a number of officers, supervisors and commanders who have a demonstrated expertise in the field, including several who are nationally recognized experts.

Following the May Day 2007 (Macarthur Park) incident in Los Angeles, Chief Kerlikowske tasked Captains Mike Sanford (Lead), Dick Belshay, Steve Brown, Paul McDonagh and Joe Kessler to conduct an audit of our policies related to Demonstration Management. The primary focus of this audit consisted of reviewing the issues outlined in Chief Mike Hillman's (LAPD) report to the Los Angeles Board of Police Commissioners. A number of recommendations made by the work group were adopted while one of the most important, the development of consistent, ongoing training was not. Consistent ongoing training is the key to maintaining our ability to respond to the rapidly changing environment we operate in.

In addition to the audit of May Day 2007, I have also reviewed the "Independent Review of Mardi Gras 2001" (National Tactical Officers Association), the "After Action Report of WTO" (Seattle Police Department), "An Independent Review of the World Trade Organization Conference Disruptions 1999" (R.M. McCarthy & Associates) and other reviews. Each of these reviews/after action reports have made the recommendation that we mandate demonstration management/riot control training (to include practical application) on at least a semi-annual basis for all sworn members through the rank of lieutenant. Our WTO After Action Report recommended sustaining this training by instituting an annual refresher for all Operations Bureau officers. I recommend a refresher for all sworn personnel to ensure we are maintaining full operational preparedness.

The WTO After Action Report also made specific recommendations at that time as to the use of Chemical Agent Response Teams (CART) and the establishment of a "training subcommittee with an officer of sufficient rank who can accomplish Department and regional training goals. The training program should be of sufficient length and depth, and should include a progressive approach to building skill and competency over time, to include a program of regular refreshers".

Following Mardi Gras 2001, our After Action Report included the recommendation that "the Department should continue to train all personnel in crowd management and further develop a cadre of officers with additional training in the specialized tactics of quick crowd insertion and extraction of violent offenders and victims".

**It is imperative that we move this type of training to the highest priority and insure that we provide training on at least a semi-annual basis.**

As the Department continues working toward the development and implementation of the 20/20 Plan, these experienced practitioners should be utilized to assist in this work group. Moreover, we must be mindful to ensure that all policies and operational tactics are fully vetted and training be conducted prior to any implementation. I would strongly recommend that we work with this group to explore the real issues regarding less lethal tools prior to making decisions with respect to which tools we use and how we deploy them.

Regarding the use of OC spray, we need to be careful not to restrict our ability to use this valuable tool to such an extent that we are required to use much higher levels of force in order to achieve our goals and objectives. As outlined in the 20/20 Plan summary (see bullet #3), the recommended narrowing of the policy to only allow for the use of OC spray as a self-defense tool may very well result in significant injuries as officers are forced to use other force options.

*It should be noted that although the use of OC spray can be debilitating and painful for the person(s) exposed to it, I am unaware of anyone requiring "real" medical care or hospitalization in the twenty plus years it has been utilized during riots, demonstrations and other operations. OC spray has proven to be an effective, low risk force option when used within the parameters of our training and policy.*

One of the most important issues that have been problematic during all demonstrations and operations is communications. The lack of having an encrypted frequency that is operable (more than line of sight) has forced commanders to often communicate via cell phones or risk having operational directions compromised. This is an issue that has been noted many times over the years and has yet to be adequately addressed.

As the challenges faced by officers and commanders in the area of demonstration management continue to evolve, it has become more imperative that we make the training of all of officers a priority. As the cycles of demonstrations ebb and flow, we have consistently had to go back and revisit the lessons learned from events such as the Rodney King Riots, APEC, WTO and others. Although many of these recommendations have been made in the past, we have allowed critical training to be delayed to meet other mandates. Below are several specific recommendations offered to assist in ensuring that we maintain our well deserved reputation for professionalism as well as providing reference points as we move forward.

- ◆ The commitment must be made to conduct training on a semi-annual basis to assure that we are able to meet the staffing needs of demonstrations, protests and marches.
- ◆ Squads or teams of squads from each precinct should be trained together to become comfortable in working together in a cohesive tactical manner, irrespective of where they are assigned.
- ◆ Precinct Task Forces should be the demonstration management team for their respective precincts and responding task force officers be assigned to handle the 9-1-1 calls in the precinct.

- ◆ There must be a resolution to a lack of an adequate encrypted radio channel for operations.
- ◆ Allow adequate planning time and ensure that all supervisors and commanders have adequate time to review the plans prior to the event (the final IAP was distributed after the first roll call).
- ◆ All commanders must be given access to all intelligence in order to plan appropriately and develop proper operational tactics.
- ◆ Prisoner processing continues to be an issue; however, we have tasked key people to review the process in order to streamline the procedures.
- ◆ Consideration should be given to enacting an ordinance that delineates what types of items can be brought to public spaces and demonstrations (particularly on permitted marches, demonstrations, etc.) to maintain a reasonable level of public safety. By allowing participants to carry deadly weapons (bats, thick dowels, torches, etc.) citizens and officers are consistently exposed to unnecessary risk.
- ◆ When officers are moving (during marches/demonstrations) there must be support vehicles in close proximity to provide access to equipment and provisions such as food and water.

**Consistent, quality training is a critical component to ensure our personnel continue to meet our mission in a professional manner. In order to ensure that officers take the appropriate action under all circumstances a culture of personal and organizational pride and ethical behavior must be reinforced on a regular basis. The principles of "ethical leadership" must be woven into the fabric of every training curriculum and lesson plan.**

**There must be a consistent message sent from every level of the organization as to what is and is not acceptable behavior. Each individual officer is responsible for his/her own conduct and each supervisor/commander are responsible for ensuring that their subordinates are operating in an ethical manner. Finally, it is incumbent upon each commander to ensure that they and their subordinates have proper training, understand the mission and have the necessary information to be successful.**

### **Chronology of Events:**

0700 hours: Roll call for first officers deployed to Westlake Park.

0900 hours: "Occupy Seattle" protesters began showing up at Westlake Park for a scheduled breakfast. They numbered approximately 50 -75 people.

1000 hours: Main roll call at the West Precinct.

1100 hours: Roll call for undercover and plainclothes officers at Park 90/5.

1100 hours: The group had grown to approximately 300 people in the park, with music and speeches.

1125 hours: Approximately 100 demonstrators gathered in the plaza at Seattle Central Community College.

1155 hours: Demonstrators began marching from Seattle Central Community College down Pine St. toward Westlake Park. Many of these participants, if not all, appeared to be "Black Bloc Anarchists".

1205 hours: Marchers arrived at Westlake Park.

1223 – 1238 hours: The entire group at Westlake Park (approximately 300 - 500 people) began an unpermitted march, leaving the park and going W/B on Pike St. (they blocked all lanes of traffic).

There were a number of people in the crowd that appeared to be Black Bloc Anarchists. This group was covered head-to-toe in black (with their faces covered) and was interspersed with the legitimate protesters. The group turned S/B on 3<sup>rd</sup> Ave and continued to Union St. They continued to block all lanes of traffic on 3<sup>rd</sup> Ave. At Union St, a number of marchers began jumping up on cars and causing extensive damage to several of them.

At this time, one bicycle squad split off the march to handle this activity. The remainder of the march continued to Seneca St. and turned E/B on Seneca to 5<sup>th</sup> Ave., where they turned S/B on 5<sup>th</sup> Ave. They turned E/B on Spring St heading towards 6<sup>th</sup> Ave. and the on-ramp to I-5 S/B. At this point, our officers are approximately 75 - 100 black clad demonstrators causing damage from inside the crowd. There are indications that paint and rocks are being thrown from inside the crowd. It was also reported that some protesters are armed with tire irons, sticks and other weapons.

1238 hours: There are reports about property destruction being committed at the Wells Fargo Bank (1215 – 4<sup>th</sup> Ave.).

1240 hours: There is a report of protesters climbing on the Seattle Public Library.

1241 hours: A smoke grenade is set off at the U.S. Courthouse on the 6<sup>th</sup> Ave. side. The crowd is spread out and milling about at the intersection of 6<sup>th</sup> Ave. and Madison St. At the same time, black clad Anarchists are doing property damage to the Courthouse (breaking windows). We also receive reports that several of the protesters, members of the Black Bloc and their associates, have shields behind banners they are carrying.

\*\*At this time we were moving our officers into a position to begin a tactical deployment from their positions (off the March route). We were also trying to get our SWAT and Gang Unit elements downtown to prepare for deployment.

1252 – 1255 hours: Black Clad Anarchists begin launching flares and smoke bombs, spray painting cars, breaking out windows at Niketown and other businesses along 6<sup>th</sup> Ave. and breaking out car windows and flattening tires of cars parked on the street. There are a number dressed in all black that were interspersed between police and legitimate peaceful protesters. There are also numerous uninvolved citizens on the sidewalks as the lunch hour is ending and people are heading back to their offices.

1255 hours: As we are attempting to get sufficient officers to make a safe, tactical movement, Assistant Chief Sanford rushes into the crowd by himself and tries to arrest an anarchist. He is unidentifiable as a police officer. He is assaulted by several protesters and knocked to the ground. Officers had to move in to perform an emergency rescue of Chief Sanford. The persons who assaulted Chief Sanford ran into the crowd and Sgt. Brotherton moved him to safety.

1256 hours: An arrest is made at 1325 – 6<sup>th</sup> Ave. At the same time, the main group of Anarchists is running W/B on Olive Way from 6<sup>th</sup> Ave. with additional reports of Anarchists pounding on the doors of the Bank of America at 500 Olive Way. Officers deploy before any damage is done.

1258 hours: We receive a report that members of the Anarchist group are in the middle of crowd at Westlake Park and that they are changing their clothes. They are deep into the crowd of peaceful protesters and are trying to blend in.

1300 hours: We begin our deployment to Judkins Park for the Immigration March and Rally. Back at Westlake Park, the protesters are preparing bottles of Maalox and bandanas and it appears as if they are gearing up for another round of activities. We tell all Rapid Response members from the various precincts and units to forego the 1400 roll call and to head directly to Westlake Park for deployment instructions.

1330 hours: The protesters have established a triage and treatment center at the south end of Westlake Park.

1340 hours: We are getting reports that the Black Bloc members have completely changed their appearance and are joining peaceful protesters and that many are leaving the park.

1345 hours: We send a team into the middle of the park to recover weapons and tools staged by the Black Bloc Anarchists. We are still waiting for the Mayor's Emergency Proclamation to be signed thereby creating some confusion as to whether we could confiscate the staged weapons. As the afternoon progresses, we continue to recover items that have been fashioned into makeshift weapons, large rocks and a back pack that had a suspected incendiary device that was a number of Bic lighters taped together.

1524 hours: We receive notification that the Mayor has signed an Emergency Proclamation authorizing us to secure any item suspected of being a weapon or implement of property destruction. Officers were immediately sent into Westlake Park to confiscate poles that were staged and unattended. This operation was successful and approximately 15 poles were confiscated with no resistance. The poles were large enough to cause damage or injury.

Several of them had been sharpened to a point on one end and had a large lag screws protruding from the opposite end.

1517 hours: Demonstrators start another march from Westlake Park going N/B on 4<sup>th</sup> Ave. It is believed they are heading to the Seattle Center and the John T. Williams Totem Pole Memorial. In preparation for this march we have reconfigured our tactics and moved bicycle officers to flank the March, bicycle and footbeat officers in front of the March and footbeat officers at the rear of the march. Additionally, the Command Van and Lt. Sano's SUV are following the march. At the intersection of 4<sup>th</sup> Ave and Virginia St, we receive a report that 50 people are donning gas masks. A separate group is stopped and we recover backpacks filled with rocks.

1545 hours: The group arrives at the memorial site on the Seattle Center grounds. Officers are deployed to various venues on the Center grounds to protect property (e.g.: The Space Needle and the Chihuly Exhibit).

1600 hours: Following several speeches the demonstrators began marching S/B on 5<sup>th</sup> Ave. Officers recovered numerous potential weapons during this march without incident. The march proceeded S/B on 5<sup>th</sup> Ave. and turned W/B onto Bell. They continued to 1<sup>st</sup> Ave. where they turned S/B on 1<sup>st</sup> Ave. At Pike St., they turned E/B where the group stopped in the 100 block.

1643 hours: We received a report that multiple subjects dressed in black and carrying gas masks are walking toward downtown from Capitol Hill. They are W/B on Olive Way from 6<sup>th</sup> Ave.

1645 hours: Officers became a target of members of the group with an officer being struck in the head by a bottle thrown from the crowd. Officers moved in a tactical manner and arrested the bottle thrower. The crowd attempted to free the arrestee and advanced on the officers. The crowd was pushed back and at least additional person was arrested.

1650 hours: The Immigration March began from Judkins Park toward Downtown Seattle.

1650 hours: Demonstrators are sitting in the intersection of 2<sup>nd</sup> and Pike St.

1655 hours: Demonstrators began marching E/B on Pike St. again. Officers are monitoring some suspected bottle throwers as well as a property damage suspect.

1700 hours: We are able to open up 1<sup>st</sup> Ave. to vehicular traffic again.

1705 hours: The demonstrators arrive at the intersection of 4<sup>th</sup> Ave. and Pike St. The Judkins Park marchers at moving W/B on Jackson St. toward downtown. They are approximately 1500 in number.

1730 hours: An Anti-Border Rally begins at Westlake Park. Some protesters are in the park but the majority of the group is still occupying 4<sup>th</sup> Ave. adjacent to the park. There are numerous taunts and threats but Fourth Ave. is finally opened to traffic (one lane at a time).

1750 hours: The Westlake group starts marching W/B on Pike St. to 3<sup>rd</sup> Ave. They turn S/B on 3<sup>rd</sup> Ave. At about the same time, the Immigration march turns N/B on 4<sup>th</sup> Ave. from Jackson St. The Westlake group continues marching S/B on 3<sup>rd</sup> Ave. It is believed they are heading to the Federal Building at 2<sup>nd</sup> Ave. and Madison St.

1806 hours: The Westlake Park demonstrators began taunting officers at 3<sup>rd</sup> Ave. and Seneca St. Officers maintained a cohesive line with no direct confrontations resulting.

1810 hours: Members of Black Bloc join the Westlake march at 3<sup>rd</sup> Ave. and Madison St.

1820 hours: The two marches, the Westlake Park group and the Immigration March, meet and converge into one large group. There is a minor confrontation between the two groups.

1825 hours: The entire group arrives at the Federal Building at 2<sup>nd</sup> Ave. and Madison St. They block the entire roadway between Madison St. and Marion St. Several speeches are made and there are no significant incidents of note.

1900 hours: The rally ends and Metro buses arrive at 2<sup>nd</sup> Ave. and Madison St. to transport the Immigration March demonstrators back to Judkins Park. The rest of the Westlake group disperses.

1935 hours: The Federal Building plaza is nearly empty with only a few peaceful demonstrators. Westlake Park is checked and monitored (there are still 40-50 people present). At this time it was raining hard and the streets were clearing.

1900 hours: Captain Kessler turned command over to Captain Dermody.

2050 hours: Operations end and areas throughout the City are monitored for activity.

# MAY DAY 2012 TIMELINE

Blue highlighting indicates SPD staffing timeline

Green highlighting indicates event schedule

Black print indicates actual event timeline

\*Provided by SPOC

**0700** Roll call in West Precinct for 1<sup>st</sup> Watch Officers for Westlake Park  
1 West Sgt. w/ 6 West Ofc's.

**0835** 1<sup>st</sup> Watch SPD Mary & David Sector patrol units logged in at Westlake Park

**0900** Scheduled breakfast and worker speakout at Westlake Park

**1000** Roll call in East Precinct for SCCC events  
A/Lt. Yamanaka  
1 East Bike Sgt. w/ 8 East Bike Ofc's.

**1000** Roll call in West Precinct for Westlake Park events  
Lt. James  
2 West Bike Sgt's. w/ 16 West Bike Ofc's.  
1 Mounted Patrol Sgt. w/ 3 Mounted Patrol Ofc's.

**1000** Roll call at SWAT office for 1 SWAT Sgt. w/ 6 SWAT Ofc's.

**1100** East Precinct is closing streets around the East Precinct facility

**1100** Roll call in West Precinct for arrest team personnel  
Lt. Smith  
2 West Patrol Sgt's. w/ 12 West Patrol Ofc's.

**1100** Scheduled time for entertainment and speakers to begin in Westlake Park

**1120** Scheduled time of the student walkout at SCCC



1121 2<sup>nd</sup> Watch David & King Sector bikes and beat units logged in at Westlake Park

1125 100 people gathered in plaza at SCCC

1125 Pine Street closed from 11<sup>th</sup> to 13<sup>th</sup> Ave's.

1128 Metro Transit advised of street closure

1100 Roll call at SWAT office for 1 SWAT Sgt. w/ 6 SWAT Ofc's.

1130 Additional bike Squad arrives at the West Precinct (Sgt. Kraus)

Lt. Smith

1 West Bike Sgt. w/ 8 Bike Ofc's.

1130 Scheduled time of the student rally at the south end of SCCC

1134 Group that had been gathering just entered SCCC

1139 Approximately 75 students inside SCCC trying to inspire other students to join them

1140 Scheduled time for the student march from SCCC to Westlake Park to begin

1152 March begins... approximately 50 people in the march

1153 March turning S/B on Bellevue Ave.

1155 March turning W/B onto Pine St.

1156 Group of 50 Black Bloc S/B on Bellevue from E. Olive Way

1157 Group of 6 persons with signs that had been circling the East Precinct have left and appear to be headed towards the main event

1159 March crossing I-5

1200 March at 9<sup>th</sup> Ave. and Pine St.

1200 Scheduled time for "Anti-Capitalist" march from Westlake Park to begin

1200 Six 1<sup>st</sup> Watch Ofc's. held over to provide security for West Precinct facility.

1200 Roll call at East Precinct for early resources assigned to Judkins Park

Lt. Tamayo

1 East CPT Squad w/ 5 East CPT Ofc's.

1 East ACTeam Squad w/ 8 East ACT Ofc's.

1203 March at 7<sup>th</sup> Ave. and Pine St.

1205 March arriving at Westlake Park

1215 Summary of SPD assigned to Westlake Park as of this time...

Lt. James

West Bikes Squad 1 Sgt. Swank w/ 8 Ofc's.

West Bikes Squad 2 A/Sgt. Gallegos w/ 8 Ofc's.

East Bikes Sgt. Lam w/ 8 Ofc's.

Mounted Patrol Sgt. Ballingham w/ 3 Ofc's.

Lt. Smith

Arrest Team 1 Sgt. Brotherton w/ 6 Ofc's.

Arrest Team 2 Sgt. Scott w/ 6 Ofc's.

West Night Bikes Sgt. Kraus w/ 8 Ofc's.

Summary of SPD assigned to UC/Plainclothes Detail as of this time...

Lt. Magee

SWAT Squad 1 Sgt. Hancock w/ 6 Ofc's.

SWAT Squad 2 Sgt. Anderson w/ 6 Ofc's.

SWAT Squad 3 Sgt. Sweeney w/ 6 Ofc's.

SAT Squad 1 Sgt. Mahaffey w/ 4 Ofc's.

SAT Squad 2 Sgt. O'Quin w/ 4 Ofc's.

SAT Squad 3 Sgt. Devine w/ 4 Ofc's.

SAT Squad 4 Sgt. Hazard w/ 4 Ofc's.

SAT Squad 5

Sgt. Little w/ 4 Ofc's.

Summary of additional SPD assigned

Lt. Sano

SWAT/CART

Sgt. Miller w/ 6 Ofc's.

Prisoner Processing

Sgt. Gracy & A/Sgt. Crumb w/ 14 Ofc's.

- 1223 Approximately 30 people in the middle of the group covered head to toe in black and carrying sticks
- 1223 Group is marching W/B on Pike St, taking all lanes
- 1226 March is S/B on 3<sup>rd</sup> Ave. at Union St., taking all lanes
- 1227 Marchers are jumping on top of cars
- 1230 Anticipated demobilization of East Precinct resources assigned to SCCC march
- 1232 March has turned E/B onto Seneca St.
- 1233 March is S/B on 5 Ave. from Seneca St.
- 1234 March is close to 6<sup>th</sup> Ave. and Spring St. on-ramp to I-5
- 1235 At least 75 Black Bloc in the crowd... paint and rocks are being thrown
- 1237 Reported that protestors may have tire irons and sticks
- 1238 Reported that hammers and other evidence at the Wells Fargo Bank, 1215 4<sup>th</sup> Ave.
- 1240 Report that protestors are climbing on the Seattle Public Library
- 1241 Report of a smoke grenade at the U. S. Courthouse
- 1243 Crowd is spread out and milling around 6<sup>th</sup> Ave. and Madison St.
- 1243 "Superheroes" on the scene at U. S. Courthouse
- 1244 Reported that the protestors have shields behind a banner they are carrying
- 1245 "Superheroes" pepper spraying people at 6<sup>th</sup> Ave. and Madison St., eastside of the U. S. Courthouse

1251 Asst. Chief Sanford directs officers to be in the crowd, not following the crowd

1252 Marchers reportedly spray painting cars

1252 Large group at Nike Town breaking windows

1253 Report of individuals in black doing damage

1253 Report that marchers are throwing flares and smoke bombs

1254 Report that marchers are breaking windows between Pike and Pine St's.

1255 Group is running W/B on Olive Way from 6<sup>th</sup> Ave. with officers chasing

1256 One suspect in custody at 1325 6<sup>th</sup> Ave., transport requested

1256 Group is back at Westlake under the monorail

1257 Report of group pounding on doors of BAC, 500 Olive Way

1258 Black Bloc group in the middle of Westlake Park changing clothes

**1300 Scheduled time for early resources deployed to Judkins Park**

1316 Report of a group in Westlake Park preparing bottles of Maalox and bandanas, getting ready for another round of activities

1327 Demonstrators have established an OC triage and treatment area at the south end of Westlake Park

1339 Report that Black Bloc people have changed clothes and left the area of Westlake Park

1340 Reported that a number of protestors went into Westlake Mall restrooms to change clothing

1345 Patrol officers are recovering wooden sticks and flags from the middle of Westlake Park

**1400 Roll call in West Precinct for Rapid Response Group**

**Lt. Smith**

**Night Gangs Squad 1**

**Sgt. Jandoc w/ 3 Ofc's.**

**Night Gangs Squad 2**

**Sgt. Boggs w/ 3 Ofc's.**

West ACT	Sgt. Yoon w/ 8 Ofc's
South ACT	Sgt. Brooks w/ 8 Ofc's.
Southwest ACT	Sgt. Strand w/ 8 Ofc's
South & SW CPT	Sgt. Martin w/ 3 Ofc's
West Bikes Squad 3	Sgt. Ibuki w/ 8 Ofc's.
Day Gangs	Sgt. Coomes w/ 4 Ofc's.
North CPT	Sgt. Newsom w/ 6 Ofc's.

1402 Reported fight inside Westlake Park

1403 Fight over

1423 Report of a man near the stage at Westlake Park with a backpack containing a bunch of devices taped together.

1426 Backpack determined to be full of taped together lighters

1434 Medical response to Starbucks at 4<sup>th</sup> Ave. and Pine St. for man vomiting and feeling ill

1500 Scheduled time for the "Honor the Dead, Fight for the Living" march from Westlake Park to begin

1514 Police radio announces that the Mayor's Emergency Order has been signed

1517 Occupy Seattle march begins from Westlake Park

1517 March is going N/B on 4<sup>th</sup> Ave.

1524 Report that Federal Protective Service found pre-staged equipment at the U.S. Courthouse at 8<sup>th</sup> Ave. and Stewart St.

1524 Group stopped at 4<sup>th</sup> Ave. and Virginia. Report of people wearing heavily laden backpacks, possibly with rocks

1524 Report of group of 50 people donning gas masks at the front of the march

1526 PSOPS 3 patched with TAC 3 for communication interoperability with Metro Transit PD

1528 March on 4<sup>th</sup> Ave., between Blanchard and Bell St's.

1529 March is crossing Bell St.

1530 Rally at Judkins Park scheduled to begin

1532 March is passing Battery St. on 4<sup>th</sup> Ave.

1533 March is crossing Wall St.

1534 March has stopped at 4<sup>th</sup> Ave. and Vine St.

1534 March is now N/B on 4<sup>th</sup> Ave. from Vine St.

1536 March is crossing Cedar St.

1536 March is approaching Denny Way

1537 March is W/B on Denny Way from 4<sup>th</sup> Ave.

1539 March is E/B on Broad St. from Denny Way

1541 March is at 4<sup>th</sup> Ave. and Broad St.

1544 March is at 5<sup>th</sup> Ave. and Broad St.

1544 March is approaching the John T. Williams Memorial

1600 Group is leaving the memorial site

1600 Roll call at Judkins Park for late resources

**Lt. Tamayo**

**1 North CPT Squad w/ 8 North CPT Ofc's.**

**1 North ACTeam Squad w/ 8 North ACT Ofc's.**

1601 March is S/B on 5<sup>th</sup> Ave. from Broad St.

1605 March is S/B on 5<sup>th</sup> Ave. from Denny Way

1606 March is south of Vine St. on 5<sup>th</sup> Ave.

1608 March is stopped at 5<sup>th</sup> Ave. and Wall St., temporarily

1610 March is S/B on 5<sup>th</sup> Ave. approaching Battery St.

1611 Three flags recovered from the march without incident

1612 March is S/B on 5<sup>th</sup> Ave. passing Bell St.

1612 March is going W/B on Bell St. from 5<sup>th</sup> Ave.

1613 March is at 4<sup>th</sup> Ave. and Bell St.

1614 City EOC activated

1616 More signs recovered from the crowd

1617 March has stopped, blocking 4<sup>th</sup> Ave. and Bell St.

1620 March is W/B on Bell St. from 4<sup>th</sup> Ave.

1624 Crossing 2<sup>nd</sup> Ave. on Bell St.

1625 March is at 1<sup>st</sup> Ave. and Bell St.

1626 March is S/B on 1<sup>st</sup> Ave. at Blanchard St.

1629 March is at 1<sup>st</sup> Ave. and Virginia St.

1632 March is S/B at 1<sup>st</sup> Ave. and Stewart St.

1633 Continuing S/B at Pine St.

1634 Report of a wagon at the front of the march with batons in it

1636 March is E/B on Pike St. from 1<sup>st</sup> Ave.

1639 Report that bike units have an arrest

1640 Crowd stopped and attempting to fight with officers. Bike officers are arriving and being directed to the north side of the line

1640 One subject taken into custody at 1<sup>st</sup> Ave. and Pike St.

1641 Transport van arrives

1641 Officers having bottles thrown at them

1642 Officers request an additional transport van to 1<sup>st</sup> Ave. and Pike St.

1643 All transport vans are requested to 1<sup>st</sup> Ave. and Pike St.

1643 Report of multiple subjects dressed in black with gas masks heading to downtown from Capital Hill

1644 Masked subjects with gas masks are W/B on Olive Way from 6<sup>th</sup> Ave.

1645 Officers are requested additional units at 1<sup>st</sup> Ave. and Pike St.

1650 Judkins Park march now leaving the park

1653 Three subjects sitting down in the middle of the street at 2<sup>nd</sup> Ave. and Pike St.

1653 Report of subject defacing a sign at 200 block of Pike St.

1654 Sufficient units are at 1<sup>st</sup> Ave. and Pike St.

1654 The crowd is moving again

1655 A group of people are loitering on the SW corner of 2<sup>nd</sup> Ave. and Pike St.

1656 March is E/B on Pike St., passing 3<sup>rd</sup> Ave.

1656 Reported that officers are following suspect throwing bottles and a suspect that was seen tagging

1657 Report that the bottle throwers are E/B and the taggers are at 2<sup>nd</sup> Ave. and Pike St.

1659 Judkins Park march at 1200 block S. Jackson St.

1700 Scheduled time for the "March for Immigrant and Workers Rights" from Judkins Park to begin

1700 King County Jail notified of possible demonstration coming to their facility

1700 Officers open up 1<sup>st</sup> Ave. to all traffic

1700 The group has stopped at 3<sup>rd</sup> Ave. and Pike St.

1701 Officers are moving towards the bottle throwing suspect and the tagging suspect

1705 March is moving back towards Westlake Park

1705 Judkins Park march is at 17<sup>th</sup> S. and S. Judkins

1706 March is at 4<sup>th</sup> Ave. and Pike St.

1719 Judkins Park march is at 16<sup>th</sup> S. and S. Judkins



1720 Crowd estimate reported in Judkins Park march to be about 500 persons

1730 "Anti-Border" rally at Westlake Park

1733 Crowd estimate in Judkins Park march revised... about 1500 person

1745 Judkins Park march lead underneath I-5

1748 Westlake Park group now S/B on 3<sup>rd</sup> Ave.

1752 Judkins Park march at 4<sup>th</sup> Ave. S. and S. Jackson St.

1753 Bank robbery at Wells Fargo Bank, 1400 E. Pike St.

1756 Judkins Park march going N/B on 4<sup>th</sup> Ave. S. from S. Jackson St.

1800 Westlake Park group S/B on 3<sup>rd</sup> Ave. at Union St.

1806 Westlake Park group at 3<sup>rd</sup> Ave. and Seneca, taunting officers

1809 Judkins Park march at 4<sup>th</sup> Ave. and Dilling Way

1809 Report of 3 Black Bloc persons joining the Westlake Group at 3<sup>rd</sup> Ave. and Madison St.

1820 Groups converge and become one march

1823 March is going W/B on Madison to 4<sup>th</sup> Ave.

1824 March arrives at 3<sup>rd</sup> Ave. and Madison St.

1830 Anticipated time Judkins Park march will arrive at 2<sup>nd</sup> Ave. and Marion St.

1900 May Day Assembly at unannounced location

1900 Metro busses arrive at 2<sup>nd</sup> Ave. and Madison St. to transport Judkins Park marchers back to the park

1935 Federal Building plaza mostly empty with only a few peaceful demonstrators remaining

1955 Crowd size at Westlake Park estimated to be about 40 – 50 person

2000 Report of a fight inside Westlake Park

2003 Report that the fight left the park, going into Pacific Place with patrol officers following

FROM: Sgt. Tom Mahaffey  
CIS  
SUBJECT: May Day After Action Report

I was assigned by SPOC to coordinate situational assessment team (SAT) resources for the event. I was told to plan on having at least 20 detectives due to the problems anticipated at this event. I determined that I would have the number by using detectives from the Intelligence and Narcotics Sections. I requested a uniformed arrest element be provided to give direct support to SAT in order to prevent delays in response when SAT identified people committing criminal acts who needed to be arrested and removed from the crowd.

I was told that SWAT would be our support element, which was unusual since we usually get and ACT or bike squad as SWAT would be needed should a complex tactical situation develop. I was surprised to read when the IAP for the event was published that SWAT would be supporting SAT with a plainclothes element, who were to be in the crowd to protect and assist SAT. I called to voice my objection to SPOC to this idea, since it was a gross deviation from the way SAT operations have been conducted since I have been involved in them (since 2005). My concern that having a plainclothes element in the crowd dedicated to arrest and undercover officer protection only served to put those plainclothes officers in danger from a hostile crowd and also allowed that crowd to use the excuse that they did not know the plainclothes officers were police ( the reason that tactic had stopped being used years ago).

I was asked to create a plan for SAT operations, and then another plan completely contrary to the way we have conducted SAT operations was created without consulting me about its viability. This then caused the confusion and readjustments to the plan you witnessed at our roll call when Lt. Hay advised that SWAT was not equipped to deploy as directed in the IAP. This adjustments to the plan delayed SAT deployment to the field by about 30 minutes.

There was a request made for photos of all undercover officers who would be working in the crowd. While the intentions behind this idea were well meaning (officer safety) I don't think that the myriad of downsides were considered (such as photos being lost or stolen; PDR request on the all documents associated with the operation). The situations during which those photos would or could be used were not made clear to me.

I suggest in that as we have done in the past, one main roll call be held for the event at which the SAT officers are present so that uniform officers working the event can get a look at them. If working ideally, SAT officers should never be coming out of roll when working a crowd and I would argue there is generally not a need for uniform officers to know who they are. SAT officers are briefed on the dangers of taking enforcement action in crowd situations where they are not readily identifiable by uniform officers and are told to comply with all commands given to them by uniformed officers.

The events of the first march deteriorated quickly and SWAT was immediately pulled from us as a resource, leaving SAT with no uniform arrest support. SAT officers were in the field observing criminality, but were unable to summon arrest teams as none were deployed. As the plan was to not escort the march at all, there were no officers that could even be summoned to offer SAT support or make arrest.

There was no arrest team support available for nearly two hours after the noon march, and numerous subjects involved in the destruction who were followed by SAT into Westlake Center and environs had to be allowed to leave the area without being contacted as there were no resources available to do so. Full and appropriate police resources should have been committed from the beginning of the event were problems anticipated, not deployed incrementally throughout the day.

Once sufficient resources were deployed, SAT was able to function more efficiently and detectives observed numerous incidents of criminal behavior to which they were able to summon arrest teams to take the actor into custody. SAT was directly involved in leading arrest teams to suspects involved in assault, property destruction, and a weapons offense.

The final two marches of the day were managed much more effectively than the first since appropriate resources and crowd control tactics were deployed. SAT detectives noticed officers from other agencies in plainclothes at the event. The question arose, since these resources were not on the IAP, was SPOC notified of their presence at the event? This was potentially very dangerous if their SAT tactics differed from ours and they decided to engage in enforcement situations while in plain clothes.

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Canopies and remaining belongings at Westlake Park are being taken down and away. About 10 people remain in the park